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Federation of European Heating, Ventilation and Air Conditioning Associations

REHVA position paper on the European Commission review of the Energy Labelling Directive (2010/30/EU) and the Ecodesign Directive (2009/125/EC).

Submitted upon the invitation of Ecofys on behalf of the European Commission

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General remarks

REHVA supports the main principles of the Ecodesign and Energy Labelling Directives. They can give the opportunity to end-users to assess products by using clear and sustainable criteria, lead industry towards higher competitiveness, high quality and sustainability, and provide indirectly all stakeholders with guidance. The principles of the Directives serve as solid background to lead the way towards a fair and rewarding legislation and benefit the whole EU in achieving the energy efficiency targets. Energy labelling has clearly improved the market situation of several consumer products and accelerated their development towards the right direction. However, some deep concerns must be expressed on many features of the legislation developed or under development within the Ecodesign and Energy labelling framework as described in the recent position paper.

Coordination among fragmented regulations and standardisation, consistency of the requirements

Ecodesign and Energy Labelling regulations develop separately without systematic co-ordination between the different legislation that concern the same products (e.g. Construction Products Regulation). Taking into account also standardization, the present legislative and supporting (mandatory and voluntary) measures look very fragmented. Timing of preparation of different regulations and standards for the same product is experienced as problematic. Joint efforts between the Commission and CEN should be increased to help stakeholders. Enterprises find it difficult to make the right decisions, for example changes in major production lines or building up own test facilities are very expensive, so these investments cannot be based on changing proposals on regulations. In their case two years is a very short time to adopt the regulation.

The preparatory studies often suffer from unclear scope or borderlines, leaving certain products in and others out without clear and evidence-based justifications. Product definitions are sometimes vague, and even the entire scope and product requirements may change until the final phase. This happened for example in case of Lot 15 and Lot 20, as well as of ventilation units (Lot 10 and ENTR Lot 6).

Ecodesign and Energy Labelling (product-oriented approach) and EPBD (building-oriented approach) look at energy efficiency from different aspects. Technical building systems are recognised by both, but still system aspects are not always taken into account correctly, e.g. fan efficiency requirements do not completely reflect the fan performance in real installations. Due to the complexity of the system approach this problem should be addressed at the first stage of the Ecodesign regulation and be put more in focus in the next stage during the review of product regulations.

The scope should be strictly limited to products not covered by building regulations, for example eco-design regulations of insulation materials or windows, which are already regulated by EPBD and national building codes are not so urgent. Many product groups have already voluntary certifications systems including the performance criteria developed by industry. Very few of these have been acknowledged during the preparation of the regulations. These certification systems are well established in the market and should be used as a starting point when developing new regulations.

Stakeholder involvement

REHVA supports the stakeholder consultation, however the process have to be improved taking existing resources of stakeholders better into account As HVAC products typically are subject to several EU regulations, the drastically increased number of new regulations and the speed of changes in EU legislation have been experienced as a surprise especially among SMEs. Stakeholders are not prepared to absorb all new regulations or to allocate sufficient resources to follow the preparatory processes.

Changes during the preparatory process leave the manufacturer in an uncertain situation bearing negative consequences just as in vane investments, unrealistic requirements, too short time for necessary changes in products and production. Stakeholder consultation is necessary also in later phases of the preparatory process in order to ensure consistency between requirements for different products used for the same purpose, e.g. boilers and space heaters under different "Lots".
Much more attention should be paid also on the early steps of the studies, product families should be dealt with in bigger clusters even if this is difficult in case of multifunctional products. The preparatory studies do not necessarily consider the needs, the available technologies, different climate or cultural and legislative differences within Europe. This may lead into unrealistic requirements towards some products or product characteristics, or even close the market for products, which are suitable in certain climates or applications. This has been experienced recently especially in the case of boilers, water heaters and space heaters (Lot 1, 2, 15, 20, 21).

Problems in the information flow
Stakeholders and their national and European organizations faced difficulties in finding correct information. Manufacturers are uncertain whether their product is "in" or "out"", because the publicly available information is ambiguous, vaguely expressed, or simply too extensive. New information supposed to be published systematically, but this is not the case in practice: enterprises receive messages from authorities and associations but also hear rumors that can't be verified. BuildUp and similar national platforms should be used to assist in providing stakeholders with correct and tailor made information according to their specific questions.

Energy efficiency versus environmental aspects
The regulations have focused too much on short-time optimization of energy issues, while more attention has to be paid on health and environmental criteria. Health and indoor environment quality are not taken into account sufficiently, which may result in deterioration of indoor environment. It is difficult to comply with both energy efficiency and environmental targets simultaneously, e.g. natural or recyclable materials in certain motors can make the product less energy efficient. The situation is confusing and sometimes unbearable to manufacturers and other stakeholders (end-users, designers, product specifiers, building inspectors etc.)

Lack of capacities in market surveillance
Market surveillance is a critical point due to lack of resources in each European country. Member states need support from the EU level in developing sufficient capacities for surveying whether a product complies with the requirements and in the development of methodologies on the follow-up of the market situation.

REHVA recommendations:

1. **Ecodesign and Energy Labelling regulations have to be coordinated with other linked legislation (EPBD) and product certification processes including the work of CEN. Contradictory and parallel definitions of the overlapping certification criteria should be clarified and avoided in the future.**
2. **Stakeholders should be involved during the entire regulatory process and informed about changes within the legislation.**
3. **The problem of contradictions between health, environmental and energy efficiency requirements has to be handled. Health, sustainability and the life cycle approach should be taken into account within the Ecodesign and Energy Labelling directives.**
4. **EU level support is necessary in the field of market surveillance and in the development of a tailor made information service system about the quickly changing regulations, especially serving the needs of SMEs.**

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